

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**ADAM KAVON; ERIN CAMDEN;  
DAVID VENNER; CRAIG GELLER, on  
behalf of themselves and all others  
similarly situated,**

**Plaintiffs,**

**v.**

**BMW OF NORTH AMERICA, LLC,**

**Defendant.**

Civ. No. 21-cv-15475 (KM) (ESK)

**ORDER**

Before the Court is the motion (DE 47) of Defendant BMW of North America, LLC (“BMW”) to dismiss Plaintiffs’ Second Amended Complaint (DE 32) for lack of standing and failure to state a claim. The Court having considered the papers in support and in opposition (DE 47-1, 50, 53) and decided the motion without oral argument; for the reasons stated in the accompanying Opinion, and for good cause shown;

**IT IS** this 3rd day of June 2022,

**ORDERED** that Defendants’ motion to dismiss (DE 47) is **GRANTED** as to Counts I-II, IV, VI, IX, and XIII and is otherwise **DENIED**.

/s/ Kevin McNulty

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**Kevin McNulty**  
**United States District Judge**